

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

CARLI HOLLAND

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CRIMINAL NO. 04-10229-MLW

JOINT STATUS MEMORANDUM OF PARTIES

The United States of America, by Assistant U.S. Attorney James F. Lang, and the defendant Carli Holland, by counsel Walter Underhill, Esq., submit this joint memorandum pursuant to the Court's order.

The parties advise that, contrary to the expectation expressed in their last status memorandum, they are not ready at this juncture to request either a change of plea hearing or a trial date, but instead request one last brief continuance in the hope that the case will be resolved by plea. In that regard, the parties advise the Court that they have agreed in principal to the filing of a superseding information charging the defendant with harassment of a witness, in violation of 18 U.S.C. § 1512(d), which is a Class A misdemeanor punishable by up to one year in prison (the current indictment charges the defendant with retaliation against a witness, in violation of 18 U.S.C. § 1514, which is a Class C felony punishable by up to twenty years in prison). The plea negotiations have not resulted in a final plea agreement yet, however, as the parties have continued to discuss

whether the agreement would contain a joint sentencing recommendation involving a departure or deviation from the applicable guidelines sentencing range for the witness harassment offense. On this date, the government orally communicated its final plea proposal to defense counsel and it will forward a written plea agreement reflecting the terms of that proposal to counsel by early next week. The parties request an additional two weeks to permit defense counsel to confer fully with the defendant about the terms of the final plea proposal and for the defendant to decide whether to accept or reject the proposal.

Accordingly, the parties request until October 2, 2006 to submit a follow-up status report, and they agree to the exclusion of the time from this date until October 2, 2006 from computation of the time within which the case must be tried under the Speedy Trial Act.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/James Lang
James Lang
Assistant U.S. Attorney

CARLI HOLLAND
Defendant

By: /s/ Walter Underhill
Walter Underhill, Esq.
Counsel for Carli Holland

DATE: September 15, 2006

